AGENDA ITEM

US FOREST SERVICE COST/SHARE SUMMARY Supplement No. 32 Kootenai National Forest

(BN Overpass – Butler) April, 2011

RIGHT-OF-WAY-APPLICATION FILE NO. 15632

I. Applicant:

United States of America (Kootenai NF- USFS) Region 1 Kootenai National Forest Libby, MT 59923

II. Purpose of Reciprocal Cost-Share Agreement:

State land is intermingled with private and the US Forest Service lands administered by the Kootenai National Forest. In order for both the State of Montana and the US Forest Service to gain legal access, it is necessary to exchange easements as provided by the Master Cost/Share Agreement with the US Forest Service.

III. Legal Description:

The State of Montana and the USA (Kootenai National Forest) in the following described lands will exchange standard Cost Share easements with a Right-of-Way width of 60 feet on State, variable width on 3rd party lands.

State Lands: Sections 16 and 22, T30N, R29W

Note: Forest Service will assign rights on:

Plum Creek Timberlands, L.P.: Section 21, T30N, R29W

BNSF Railway: Section 16, T30N, R29W

IV. General Information:

Tributary area, right of way area, and miles of road are summarized as follows:

	State	USFS	Third Party *	Total
Tributary Area:	9,503 acres	60,881 acres	104,262 acres	174,646 acres
Right of Way Area:	20.58 acres**	0.00 acres	17.90 acres	38.48 acres
Miles of Road:	2.83 miles	0.00 miles	1.97 miles	4.80 miles

^{*} USFS assumes 3rd party shares.

Land Office: NWLO
Unit Office: Libby
Land Classification: Forest Land

Beneficiaries C.S. – Public School (Section 16, T30N, R29W) and P.B. - Public Building (Section 22,

T30N, R29W)

Lessee N/A County: N/A Lincoln

V. Costs to be Borne by Each Party:

Excess costs, by land value and road costs, were determined by negotiation with the USFS Kootenai National Forest in accordance with the principals found in the Master Cost Share Agreement. The Summary of Shares and Excess Costs for Supplement No. 32 are summarized as follows:

	EXCESS COSTS		
	Gov't Owes State	State Owes Gov't	
Land Value		\$19	
Road Costs		\$50,410	
Total Value/Costs		\$50,429	
Amount Owed*		\$50,429	

^{*}Upon approval by the Land Board and exchange of deeds, the balance due of \$50,429 will be added to the Master Cost Share balance sheet.

VI. Results of MEPA Analysis:

The Libby Unit, DNRC, and USFS each prepared and approved a Categorical Exclusion for the project.

VII. Benefits to State:

Shared maintenance and future reconstruction costs

Reduced road density by utilizing existing roads which reflects an integrated transportation system

Access rights across private land acquired from Forest Service on not only a "share basis" but also at the original cost basis.

Less acres of State land encumbered by roads and therefore more acres of State Land available for forest resource production.

Provides access to State owned forest lands in the Fisher River and Wolf Creek areas. This will reduce haul costs and road maintenance fees, which in turn enhances Trust revenue.

VIII. Recommendation/Action:

After review of the documents, exhibits, and benefits to the State, the Director of the Department of Natural Resources and Conservation recommends approval of the BN Overpass - Butler Cost Share Supplement No. 32 with the US Forest Service.